

Oct-09-06 18:29

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IAP13 Rec'd PCT/PTO 09 OCT 2006

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this paper, together with the documents listed below, are being transmitted by facsimile to USPTO Central Fax Number at (571) 273-8300 on October 9, 2006.

  
Hoon Choi (Ltd. Recog. No. L0209)  
for Anthony M. Insogna (Reg. No. 35,203)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Lang-Fungmann

Confirmation No.: 9359

Serial No.: 10/554,703

Filed: January 24, 2004

For: Antimycotic Nail Polish Formulations Attorney Docket No.: 9741-014-999  
Comprising Substituted 2-  
Aminothiazoles as an Active Substance

**RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF PROVISIONAL APPLICATION**

**MAIL STOP MISSING PARTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts mailed August 8, 2006, a copy of which is enclosed, submitted herewith is the executed declaration.

A fee of \$ 130.00 is believed to be due for the submission of this paper.

Please charge this and any other required fees to Jones Day Deposit Account No. 503013.

A copy of this sheet is enclosed.

10/16/2006 HKAYPAGH 00000122 503013 10554703

01 FC:1617 130.00 DA

Date: October 9, 2006

Respectfully Submitted,

  
Hoon Choi (Ltd. Recog. No. L0209)

Jones Day

For: Anthony M. Insogna (Reg. No. 35,203)

Jones Day

12750 High Bluff Drive, Suite 300

San Diego, California 92130

(858) 314-1200

CAJD-533901v1

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U.S. APPLICATION NUMBER NO. 10/554,703	FIRST NAMED APPLICANT Susanne Lang-Fugmann	ATTY. DOCKET NO. 9741-014-999
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INTERNATIONAL APPLICATION NO. PCT/EP04/00597
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I.A. FILING DATE 01/24/2004	PRIORITY DATE 09/11/2003
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20582  
JONES DAY  
51 Louisiana Avenue N.W.  
Washington, DC 20001-2113

DEC. & FEES DUE 10-8-06 *ES*

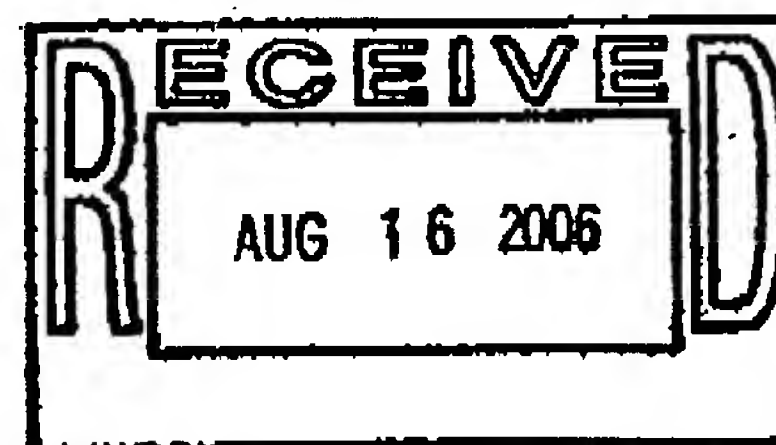
CONFIRMATION NO. 9359  
371 FORMALITIES LETTER  
"OC000000019921509"

Date Mailed: 08/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/27/2005
- English Translation of the IA filed on 10/27/2005
- Copy of the International Search Report filed on 10/27/2005
- Copy of IPE Report filed on 10/27/2005
- Preliminary Amendments filed on 10/27/2005
- Oath or Declaration filed on 10/27/2005
- Request for Immediate Examination filed on 10/27/2005
- U.S. Basic National Fees filed on 10/27/2005
- Priority Documents filed on 10/27/2005
- Specification filed on 10/27/2005
- Claims filed on 10/27/2005
- Abstracts filed on 10/27/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/554,703	PCT/EP04/00597	9741-014-999

FORM PCT/DO/EO/905 (371 Formalities Notice)



## Facsimile Transmission

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October 9, 2006

Please hand deliver the following facsimile to:

Name/Company: **USPTO Central Fax** Facsimile Number: **(571)-273-8300** Telephone Number:

From: **Hoon Choi**

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Send copies to:

Re: **Response to Notice to File Missing Parts (App. No. 10/554,703)**

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### Message:

The Followings are enclosed:

- 1) A Response to Notice to File Missing Parts, including authorization to charge required fees (1 page);
- 2) A copy of the Response (1 page);
- 3) An executed declaration (2 pages); and
- 4) A copy of the Notice to File Missing Parts (2 pages).

Thank you.

Please call us immediately if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.

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